

### REMARKS

Claims 1-4 are pending in this application.

Claim 1 has been amended. Claim 23 has been added. No new matter has been added by the present amendment.

#### Rejection under 35 U.S.C § 102:

Claims 1-4 stand rejected under 35 U.S.C § 102 (e) as anticipated by Ho et al. (US2004/0033689).

Amended claim 1 recites, *inter alia*, at least one dummy pattern formed between two marking patterns. *See e.g.*, Fig. 4 of the present application. Applicants respectfully submit that Ho does not disclose the above-claimed feature.

Examiners states that "Ho teaches two alignment marks (reference number 102a) in Fig. 7." *See the Advisory Action.* However, there is no dummy pattern between the components corresponding to reference number 102a. *See e.g.*, FIG. 7a of Ho.

Therefore, Applicants respectfully submit that claim 1 is not anticipated by Ho.

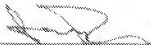
Claims 2, 3 and 4 depend from claim 1. Claims 2, 3 and 4 include the elements of the independent claim and therefore is not anticipated by the cited reference for at least the reasons given above.

Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-4 under 35 U.S.C § 102 (e) and claims 1-4 are in condition for allowance.

For the foregoing reasons, the present application is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully requested. The

Examiner is invited to contact the undersigned if he has any questions or comments in this matter.

Respectfully submitted,



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